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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/773,788

02/06/2004

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06/14/2007

EXAMINER

DUONG, DUC T

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

06/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/773,788

Applicant(s)

ROY, RADHIKA R.

Examiner

Duc T. Duong

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2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-13,15-20 and 22-26 is/are rejected.
- 7) ☒ Claim(s) 4,14 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3, 5-13, 15-20, and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Galasso et al (US Patent 6,374,302 B1).

Regarding to claims 1, 12, and 20, Galasso discloses a gatekeeper 550-570 for use in a communication system (fig. 3), said gatekeeper comprising a processor (col. 5 lines 37-40); and a memory (inherent) coupled to said processor, said memory storing instructions adapted to be executed by said processor for performing the steps of receiving at said gatekeeper a request for information 610 (fig. 4 col. 7 lines 58-60); determining whether the information is known by said gatekeeper 620 (fig. 4 col. 7 lines 62-63); if the information is not known by said gatekeeper, sending the request via a

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second gatekeeper 570 to a third gatekeeper 560 (fig. 3-4 col. 7 lines 44-55), both said first and third gatekeepers being at a single gatekeeper hierarchical level (fig. 3-4 col. 7 lines 34-41); and receiving the requested information from the third gatekeeper 560 (fig. 3-4 col. 7 lines 50-55).

Glasso fails to teach the second gatekeeper 570 having the same hierarchical level as the first 550 and third gatekeepers 560.

However, to arrange the second gatekeeper 570 with the same hierarchical level as the first 550 and third gatekeeper 560 would have been obvious to a person of ordinary skill in the art to provides a network of gatekeepers that can be scale without the need of a centralized management point.

Regarding to claims 2 and 13, Galasso discloses the third gatekeeper sends the information to the first gatekeeper via the second gatekeeper (fig. 3 col. 7 lines 44-55).

Regarding to claims 3, 7, and 9, Galasso discloses each of said first, second, and third gatekeepers communicate with respective subscriber terminals (fig. 2 col. 4 lines 53-57).

Regarding to claims 5, 15, and 22, Galasso discloses the requested information is an address (col. 4 lines 55-57).

Regarding to claims 6, 8, 16, 17, and 23, Galasso discloses the address is a network address or resource (col. 4 lines 57-60).

Regarding to claims 10, 18, and 24, Galasso discloses the resource is a port, a link, or a trunk (col. 5 Table 1).

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Regarding to claims 11, 19, and 25, each of the gatekeepers is adapted to use signaling messages conforming to International Telecommunications Union standard H.323 to receive and transmit information between at least itself and its respective subscriber terminals (col. 5 lines 11-15).

Regarding to claim 26, the communicating entities are terminals, gateways, multipoint control units or communication networks (fig. 1-3 col. 4 lines 41-49).

***Allowable Subject Matter***

3. Claims 4, 14, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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